

## REGISTER OF CLASSIFICATION DECISIONS

**Title of Publication:** 34

**Other Known Title:** 34.jpg

**Format:** Computer Image File

**Director/Author:** Not Applicable

**Producer/Publisher:** Not Applicable

**Country of Origin:** Not Stated

**Language:** English

**Applicant:** Comptroller of Customs

**Distributor:** Not Applicable

<b>Classification:</b>	Objectionable.
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**Descriptive Note:** Not Applicable

**Display Conditions:** Not Applicable

**Date of entry in Register:** 11 December 2007

**Date of direction to issue a label:** Not Applicable

**OFLC No:** 702471

**Excisions:** Not Applicable

**Reasons for excisions:**

Not Applicable

**Summary of reasons  
for classification:**

The computer image file *34* is classified as:  
Objectionable.

The computer image file is objectionable because it promotes and supports the exploitation of young persons for sexual purposes.

The file has been copied from a web site that emphasises youthfulness and the image it contains is intended to sexually titillate and arouse viewers. It focuses overtly and explicitly on the sexual characteristics of a near-naked girl who presents as being in her mid-teens. The effect is to validate a sexual interest in young persons. The image therefore encourages the sexual exploitation of young persons. This interpretation of the publication is supported by the fact that the image is in a format conducive to private viewing and easy dissemination.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's clear intention in s3(2) of the Films, Videos, and Publications Classification Act 1993. The classification is a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of young persons for sexual purposes.